

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room 25, House Office Building, State Capitol Complex
February 28, 2011

Members Present: Rep. Curt Oda, Chair
Rep. Richard Greenwood, Vice Chair
Rep. Patrice Arent
Rep. David Butterfield
Rep. Steve Eliason
Rep. Keith Grover
Rep. Greg Hughes
Rep. Don Ipson
Rep. David Litvack
Rep. Lee Perry
Rep. Jennifer Seelig
Rep. Carl Wimmer
Rep. Bill Wright

Staff Present: Mr. Stewart Smith, Policy Analyst
Ms. Linda Error, Committee Secretary

note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Greenwood called the meeting to order at 8:05 p.m.

Rep. Eliason moved to approve the minutes of the February 24, 2011 meeting. The motion passed unanimously, with Rep. Grover, Rep. Hughes, Rep. Oda, Rep. Seelig, Rep. Wimmer and Rep. Wright absent for the vote.

H.B. 303 Prepaid Wireless 911 Service Charge (*Rep. B. Dee*)

Rep. Daw explained the bill to the committee.

Spoke in favor of the bill: Mr. Russell Sarazen, T-Mobile USA

MOTION: Rep. Arent moved to pass the bill with a favorable recommendation. The motion passed unanimously, with Rep. Hughes, Rep. Oda, Rep. Seelig and Rep. Wimmer absent for the vote.

MOTION: Rep. Eliason moved to place H.B. 303 on the Consent Calendar. The motion passed unanimously, with Rep. Hughes, Rep. Oda, Rep. Seelig and Rep. Wimmer absent for the vote.

S.B. 159 Sex Offender Registry Revisions (*Sen. D. Stowell*)

Sen. Stowell explained the bill to the committee.

Spoke to the bill: Mr. Richard Jones, citizen (handout)

MOTION: Rep. Ipson moved to pass the bill with a favorable recommendation. The motion passed unanimously, with Rep. Perry and Rep. Wright absent for the vote.

H.B. 445 Prison Relocation and Development Authority Act (*Rep. G. Hughes*)

Rep. Hughes explained the bill to the committee.

MOTION: Rep. Hughes moved to amend the bill as follows:

1. *Page 3, Line 82:*

82 (1) The authority's board shall consist of ~~{seven}~~ eight members.

2. *Page 3, Lines 85 through 88:*

85 (b) ~~{Two}~~ (i) Four members of the board shall be appointed by the
governor ~~{from the Governor's~~

86 Office of Economic Development} .

87 ~~{(c) One member of the board shall be appointed by the legislative body of the
county in~~

88 which the prison property is located.}

(ii) At least one of the members appointed under Subsection (2)(b)(i) shall be from the Governor's Office of Economic Development, one shall be from the Division of Facilities Construction and Management, and one shall be from the Department of Corrections.

The motion to amend passed unanimously, with Rep. Perry and Rep. Wright absent for the vote.

Spoke to the bill: Mr. Tom Patterson, Department of Corrections

Spoke in favor of the bill: Mr. Troy Walker, Draper City Council

MOTION: Rep. Ipson moved to pass the bill with a favorable recommendation. The motion passed, with Rep. Greenwood and Rep. Litvack voting in opposition. Rep. Arent

and Rep. Wright were absent for the vote.

S.B. 177 Security Agency Qualification Amendments (Sen. M. Dayton)

Sen. Dayton explained the bill to the committee with the assistance of Mr. John Tinsley, Private Investigator's Association of Utah.

MOTION: Rep. Grover moved to pass the bill with a favorable recommendation. The motion passed unanimously, with Rep. Arent and Rep. Wright absent for the vote.

S.B. 124 Leaving a Child Unattended in a Motor Vehicle (Sen. B. McAdams)

Sen. McAdams explained the bill to the committee with the assistance of Mr. Cory Rushton, West Valley City Council.

MOTION: Rep. Oda moved to amend the bill as follows:

1. *Page 1, Lines 9 through 10*
Senate Committee Amendments
2-1-2011:

9 This bill amends the Utah Criminal Code by making it ~~{an infraction}~~ a class
C misdemeanor to leave a child
10 unattended in ~~Ŝ~~→ an enclosed compartment of ~~←Ŝ~~ a motor vehicle.

2. *Page 1, Line 18*
Senate Committee Amendments
2-1-2011:

18 • the conditions present a risk to the child's health or safety that is due to
hyperthermia, hypothermia, or dehydration ~~Ŝ~~→ [; the engine is
running;

3. *Page 2, Lines 42 through 42f*
Senate 3rd Reading Amendments
2-10-2011:

42 (c) ~~Ŝ~~→ [(f)] ~~←Ŝ~~ the conditions present a risk to the child's health or safety ~~Ŝ~~→
that {~~;~~
42a ~~(f)~~} is due to:

- 42b ~~{(A)}~~ (i) hyperthermia;
42c ~~{(B)}~~ (ii) hypothermia; or
42d ~~{(C)}~~ (iii) dehydration ~~{; or}~~ .
42e { ~~(ii) a reasonable person would expect to exist when a child is left unsupervised in an enclosed~~
 42f compartment of a motor vehicle. }

The motion to amend passed unanimously, with Rep. Arent, Rep. Grover and Rep. Wright absent for the vote

Spoke in favor of the bill: Ms. Deone Turley, Utah PTA
 Ms. MaryAnn Christensen, Utah Eagle Forum
 Ms. Rolayne Fairclough, AAA of Utah

Spoke against the bill: Mr. Dan Deuel, American Parental Action League

MOTION: Rep. Litvack moved to pass the bill with a favorable recommendation. The motion passed, with Rep. Wimmer voting in opposition. Rep. Grover and Rep. Wright were absent for the vote.

MOTION: Rep. Hughes moved to adjourn the meeting. The motion passed unanimously, with Rep. Grover and Rep. Wright absent for the vote.

Rep. Greenwood adjourned the meeting at 9:30 p.m.

Rep. Curtis Oda, Chair